

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 26.2.D15/USA

In re Application of:)	
)	
Benjamin A. Street)	
)	
Serial No. 10/765,563)	
)	
Filed 01/27/2004)	Group Art Unit 3671
)	
For POWERED SAND GROOMING)	Examiner Jamie Louise McGowan
VEHICLE WITH YIELDABLE)	
FRONT BULLDOZER BLADE)	
ATTACHED TO STEERABLE)	
FRONT WHEEL)	
)	

RESPONSE TO NOTICE OF DRAWING INCONSISTENCY

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the PTO withdraw the Notice of Drawing Inconsistency with Specification dated September 16, 2009 and accept the formal drawings filed September 4, 2009, including accepting the sheet of drawings containing Figures 7, 8 and 9. The reason for this request is that the Applicant had previously amended the specification during prosecution of the application to add to the Brief Description of Drawings a short description of each of Figures 7, 8 and 9. If this previous amendment was not properly entered into the specification by the PTO during prosecution, it is respectfully requested that

the amendment to the specification be made at this time in order to cure the inconsistency between the drawings and the specification.

I would refer the Publishing Division to the paper entitled "Request for Extension of Time and Amendment" filed on February 28, 2006. In this paper, the Applicant had amended the Brief Description of Drawings to add a specific reference to each of Figures 7, 8 and 9. This can be seen at the top of page 4 of the paper filed on February 28, 2006 where the Applicant directed that new paragraphs [019.1] – [019.3] be added to the specification. So that there can be no doubt about this, I am reproducing below the top of page 4 of the paper filed on February 28, 2006 where this addition was made.

FEB-28-2006 15:28

JAMES W MILLER, ATTORNEY

612 338 5989 P.04

Please add the following new paragraphs after paragraph [019]:

From the
Applicant's
02/28/2006
Amendment

[019.1] Fig. 7 is a diagrammatic top plan view of the sand grooming vehicle shown in Fig. 1, particularly illustrating a rear quick attachment on the vehicle mounting a blower;
[019.2] Fig. 8 is a diagrammatic view similar to Fig. 7, particularly illustrating a box scraper mounted on the rear quick attachment; and
[019.3] Fig. 9 is a diagrammatic view similar to Figs. 7 and 8, particularly illustrating a trailing rake mounted on the rear quick attachment.

In view of the above previously filed amendment to the specification contained in the "Request for Extension of Time and Amendment" filed on February 28, 2006, there is in fact no inconsistency between the drawings and the specification. Accordingly, the Notice of Drawing Inconsistency with Specification dated September 16, 2009 is incorrect, should be withdrawn, and this application should be printed as a patent with all of the drawing sheets previously submitted on September 4, 2009. Again, if for some reason the new paragraphs containing the descriptions of Figs. 7, 8 and 9 have not previously been entered into the specification, such new paragraphs should be entered at this time.

October 14, 2009

Respectfully submitted,

/James W. Miller/

James W. Miller
Registration No. 27,661
Suite 1960 Rand Tower
527 Marquette Avenue
Minneapolis, MN 55402
Telephone (612) 338-5915